

## § 175.34

shipper's certification, as required by § 172.204 of this subchapter.

(2) Retain a copy of each notification of pilot-in-command, an electronic image thereof, or the information contained therein for 90 days at the airport of departure or the operator's principal place of business.

(3) Have the information required to be retained under this paragraph readily accessible at the airport of departure and the intended airport of arrival for the duration of the flight leg.

(4) Make available, upon request, to an authorized official of a Federal, State, or local government agency (including an emergency responder(s)) at reasonable times and locations, the documents or information required to be retained by this paragraph. In the event of a reportable incident, as defined in § 171.15 of this subchapter, make immediately available to an authorized official of a Federal, State, or local government agency (including an emergency responders), the documents or information required to be retained by this paragraph.

(5) Retain a copy of the alternative written documentation when provided in accordance with § 173.185(c)(4)(v)(B) of this subchapter or an electronic image thereof, or the information contained therein for 90 days at the airport of departure or the operator's principal place of business.

(d) The documents required by paragraphs (a) and (b) this section may be combined into one document if it is given to the pilot-in-command before departure of the aircraft.

[71 FR 14604, Mar. 22, 2006, as amended at 72 FR 25177, May 3, 2007; 73 FR 57006, Oct. 1, 2008; 74 FR 2267, Jan. 14, 2009; 79 FR 46040, Aug. 6, 2014]

### **§ 175.34 Exceptions for cylinders of compressed oxygen or other oxidizing gases transported within the State of Alaska.**

(a) *Exceptions.* When transported in the State of Alaska, cylinders of compressed oxygen or other oxidizing gases aboard aircraft are excepted from all the requirements of §§ 173.302(f)(3) through (5) and 173.304(f)(3) through (5) of this subchapter subject to the following conditions:

## 49 CFR Ch. I (10–1–14 Edition)

(1) Transportation of the cylinders by a ground-based or water-based mode of transportation is unavailable and transportation by aircraft is the only practical means for transporting the cylinders to their destination;

(2) Each cylinder is fully covered with a fire or flame resistant blanket that is secured in place; and

(3) The operator of the aircraft complies with the applicable notification procedures under § 175.33.

(b) *Aircraft restrictions.* This exception only applies to the following types of aircraft:

(1) Cargo-only aircraft transporting the cylinders to a delivery destination that receives cargo-only service at least once a week.

(2) Passenger and cargo-only aircraft transporting the cylinders to a delivery destination that does not receive cargo only service once a week.

[79 FR 15046, Mar. 18, 2014]

### **Subpart B—Loading, Unloading and Handling**

#### **§ 175.75 Quantity limitations and cargo location.**

(a) No person may carry on an aircraft a hazardous material except as permitted by this subchapter.

(b) Except as otherwise provided in this subchapter, no person may carry a hazardous material in the cabin of a passenger-carrying aircraft or on the flight deck of any aircraft, and the hazardous material must be located in a place that is inaccessible to persons other than crew members. Hazardous materials may be carried in a main deck cargo compartment of a passenger aircraft provided that the compartment is inaccessible to passengers and that it meets all certification requirements for a Class B aircraft cargo compartment in 14 CFR 25.857(b) or for a Class C aircraft cargo compartment in 14 CFR 25.857(c). A package bearing a "KEEP AWAY FROM HEAT" handling marking must be protected from direct sunshine and stored in a cool and ventilated place, away from sources of heat.

(c) For each package containing a hazardous material acceptable for carriage aboard passenger-carrying aircraft, no more than 25 kg (55 pounds) net weight of hazardous material may be loaded in an inaccessible manner. In addition to the 25 kg limitation, an additional 75 kg (165 pounds) net weight of Division 2.2 (non-flammable compressed gas) may be loaded in an inaccessible manner. The requirements of this paragraph do not apply to Class 9, articles of Identification Numbers UN0012, UN0014, or UN0055 also meeting the requirements of §173.63(b), and Limited or Excepted Quantity material.

(d) For the purposes of this section—

(1) *Accessible* means, on passenger-carrying or cargo-only aircraft that each package is loaded where a crew member or other authorized person can access, handle, and, when size and weight permit, separate such packages from other cargo during flight, including a freight container in an accessible cargo compartment when packages are loaded in an accessible manner. Additionally, a package is considered accessible when transported on a cargo-only aircraft if it is:

(i) In a cargo compartment certified by FAA as a Class C aircraft cargo compartment as defined in 14 CFR 25.857(c); or

(ii) In an FAA-certified freight container that has an approved fire or smoke detection system and fire suppression system equivalent to that required by the certification requirements for a Class C aircraft cargo compartment.

(2) *Inaccessible* means all other configurations to include packages loaded where a crew member or other authorized person cannot access, handle, and, when size and weight permit, separate such packages from other cargo during flight, including a freight container in an accessible cargo compartment when packages are loaded in an inaccessible manner.

(e) For transport aboard cargo-only aircraft, the requirements of paragraphs (c) and (d) of this section do not apply to the following hazardous materials:

(1) Class 3, PG III (unless the substance is also labeled CORROSIVE), Class 6.1 (unless the substance is also labeled for any hazard class or division except FLAMMABLE LIQUID), Division 6.2, Class 7 (unless the hazardous material meets the definition of another hazard class), Class 9, articles of Identification Numbers UN0012, UN0014, or UN0055 also meeting the requirements of §173.63(b), and those marked as a Limited Quantity or Excepted Quantity material.

(2) Packages of hazardous materials transported aboard a cargo aircraft, when other means of transportation are impracticable or not available, in accordance with procedures approved in writing by the FAA Regional or Field Security Office in the region where the operator is located.

(3) Packages of hazardous materials carried on small, single pilot, cargo aircraft if:

(i) No person is carried on the aircraft other than the pilot, an FAA inspector, the shipper or consignee of the material, a representative of the shipper or consignee so designated in writing, or a person necessary for handling the material;

(ii) The pilot is provided with written instructions on the characteristics and proper handling of the materials; and

(iii) Whenever a change of pilots occurs while the material is on board, the new pilot is briefed under a hand-to-hand signature service provided by the operator of the aircraft.

(f) At a minimum, quantity limits and loading instructions in the following quantity and loading table must be followed to maintain acceptable quantity and loading between packages containing hazardous materials. The quantity and loading table is as follows:

QUANTITY AND LOADING TABLE

Applicability	Forbidden	Quantity Limitation: 25 kg net weight of hazardous material plus 75 kg net weight of Division 2.2 (non-flammable compressed gas) per cargo compartment	No limit
Passenger-carrying aircraft	Cargo Aircraft Only labeled packages.	Inaccessible .....	Accessible.
Cargo-only aircraft— .....	Not applicable .....	Inaccessible (Note 1) .....	Accessible (Note 2).
Packages authorized aboard a passenger-carrying aircraft.			
Cargo-only aircraft— .....	Inaccessible (Note 1) .....	Not applicable .....	Accessible (Note 2).
Packages not authorized aboard a passenger-carrying aircraft and displaying a Cargo Aircraft Only label.			

**Note 1:** The following materials are not subject to this loading restriction—

- a. Class 3, PG III (unless the substance is also labeled CORROSIVE).
- b. Division 6.1 (unless the substance is also labeled for any hazard class or division except FLAMMABLE LIQUID)
- c. Class 7 (unless the hazardous material meets the definition of another hazard class).
- d. Class 9, Limited Quantity or Excepted Quantity material.

e. Articles of Identification Numbers UN0012, UN0014, or UN0055 also meeting the requirements of § 173.63(b).

**Note 2:** Aboard cargo-only aircraft, packages required to be loaded in a position that is considered to be accessible include those loaded in a Class C cargo compartment.

[76 FR 82178, Dec. 30, 2011, as amended at 78 FR 65486, Oct. 31, 2013]

**§ 175.78 Stowage compatibility of cargo.**

(a) For stowage on an aircraft, in a cargo facility, or in any other area at an airport designated for the stowage of hazardous materials, packages containing hazardous materials which might react dangerously with one another may not be placed next to each other or in a position that would allow

a dangerous interaction in the event of leakage.

(b) At a minimum, the segregation instructions prescribed in the following Segregation Table must be followed to maintain acceptable segregation between packages containing hazardous materials with different hazards. The Segregation Table instructions apply whether or not the class or division is the primary or subsidiary risk. The Segregation Table follows:

SEGREGATION TABLE

Hazard label	Class or division							
	1	2	3	4.2	4.3	5.1	5.2	8
1 .....	Note 1	Note 2	Note 2	Note 2	Note 2	Note 2	Note 2	Note 2
2 .....	Note 2							
3 .....	Note 2					X		
4.2 .....	Note 2					X		
4.3 .....	Note 2							
5.1 .....	Note 2		X	X				X
5.2 .....	Note 2							
8 .....	Note 2				X			.....

(c) Instructions for using the Segregation Table are as follows:

(1) Hazard labels, classes or divisions not shown in the table are not subject to segregation requirements.

(2) Dots at the intersection of a row and column indicate that no restrictions apply.

(3) The letter “X” at the intersection of a row and column indicates that packages containing these classes of hazardous materials may not be stowed next to or in contact with each other, or in a position which would allow interaction in the event of leakage of the contents.